

June 30, 1986

P-617

Honorable Art Agnos, Chairman  
Members, Joint Legislative  
Audit Committee  
State Capitol, Room 3151  
Sacramento, California 95814

Dear Mr. Chairman and Members:

After completing a preliminary review of the effectiveness of the Agnos Child Support Standards Act of 1984 (Civil Code Section 4720, et seq.), I have concluded that we cannot answer the questions outlined in the audit request without spending a considerable amount of audit resources. Because none of the 15 counties we initially contacted distinguish child support award cases from all other types of court cases, we would need to review hundreds of court cases that are not pertinent to our audit to gather information regarding child support awards. Even Fresno County's automated recordkeeping system for its superior court cases does not distinguish child support awards or modifications from other court actions.

However, we conducted a telephone survey to determine which of California's 58 counties modified their discretionary guidelines to increase child support awards after the Agnos Child Support Standards Act of 1984 (the Agnos Child Support Act) became law. Table 1 summarizes the results of this survey.

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**TABLE 1**  
**STATUS OF COUNTY GUIDELINES**  
**FOR CHILD SUPPORT AWARDS**

| <u>County</u> | <u>Modified<br/>Guidelines<br/>On or After<br/>July 1, 1985</u> | <u>Did Not Modify<br/>Guidelines<br/>On or After<br/>July 1, 1985</u> | <u>Have No<br/>Guidelines</u> |
|---------------|---|---|-------------------------------|
| Alameda       | X   |   |                               |
| Alpine        |   |   | X                             |
| Amador        |   |   | X                             |
| Butte         |   | X   |                               |
| Calaveras     |   |   | X                             |
| Colusa        |   |   | X                             |
| Contra Costa  |   | X   |                               |
| Del Norte     |   |   | X                             |
| El Dorado     | X   |   |                               |
| Fresno        |   | X   |                               |
| Glenn         |   |   | X                             |
| Humboldt      | X   |   |                               |
| Imperial      |   |   | X                             |
| Inyo          | X   |   |                               |
| Kern          |   |   | X                             |
| Kings         | X   |   |                               |
| Lake          |   |   | X                             |
| Lassen        |   |   | X                             |
| Los Angeles   |   |   | X                             |
| Madera        | X   |   |                               |
| Marin         | X   |   |                               |
| Mariposa      |   |   | X                             |
| Mendocino     |   |   | X                             |
| Merced        |   | X   |                               |
| Modoc         |   |   | X                             |
| Mono          |   |   | X                             |
| Monterey      | X   |   |                               |
| Napa          |   |   | X                             |
| Nevada        | X   |   |                               |
| Orange        |   |   | X                             |

**TABLE 1 (Continued)**

|                 |           |           |           |
|-----------------|-----------|-----------|-----------|
| Placer          | X         |           |           |
| Plumas          | X         |           |           |
| Riverside       |           |           | X         |
| Sacramento      | X         |           |           |
| San Benito      |           | X         |           |
| San Bernardino  | X         |           |           |
| San Diego       |           |           | X         |
| San Francisco   |           | X         |           |
| San Joaquin     | X         |           |           |
| San Luis Obispo |           | X         |           |
| San Mateo       |           | X         |           |
| Santa Barbara   | X         |           |           |
| Santa Clara     |           | X         |           |
| Santa Cruz      | X         |           |           |
| Shasta          |           |           | X         |
| Sierra          |           |           | X         |
| Siskiyou        |           | X         |           |
| Solano          |           |           | X         |
| Sonoma          | X         |           |           |
| Stanislaus      |           | X         |           |
| Sutter          | X         |           |           |
| Tehama          |           |           | X         |
| Trinity         |           |           | X         |
| Tulare          | X         |           |           |
| Tuolumne        |           |           | X         |
| Ventura         |           | X         |           |
| Yolo            | X         |           |           |
| Yuba            | <u>X</u>  | <u>—</u>  | <u>—</u>  |
| Total           | <u>21</u> | <u>12</u> | <u>25</u> |

According to the county personnel we interviewed, 21 (36 percent) of the 58 counties modified their guidelines on or after July 1, 1985, to increase awards. Twelve (21 percent) of the 58 counties have not changed their guidelines. County personnel in the remaining 25 counties (43 percent) stated that their counties have no discretionary guidelines for child support awards. Unless these 25 counties develop their own guidelines or adopt another county's guidelines, on July 1, 1986, they must follow those developed by the California Judicial Council as a provision of the Agnos Child Support Act.

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If the courts in each of the 21 counties that have modified their guidelines determine child support awards according to the guidelines, awards in those counties will be higher. For example, under Marin County's guidelines before the Agnos Child Support Act, the courts would have required a father with a net income of \$1600 per month to pay a maximum of \$350 monthly for the support of two children if the mother had custody of the children and had no other income. Under Marin County's new guidelines, the father is required to pay \$499, an increase of \$149. Similarly, under its old guidelines, Sacramento County would have required the father in this situation to pay an initial maximum of \$350; under Sacramento's new guidelines, the father is required to pay \$432 monthly, an increase of \$82.

County district attorneys we contacted identified specific instances in which the Agnos Child Support Act resulted in higher child support awards. Table 2 identifies some of the examples the district attorneys provided us.

**TABLE 2**  
**EXAMPLES OF HIGHER CHILD SUPPORT AWARDS**  
**RESULTING FROM THE AGNOS CHILD SUPPORT ACT**

| <u>County</u>  | <u>Previous Award<br/>Per Child</u> | <u>Modified Award<br/>Per Child</u> | <u>Increase</u> |
|----------------|-------------------------------------|-------------------------------------|-----------------|
| Santa Clara    | \$ 0                                | \$237                               | \$237           |
|                | \$ 0                                | \$208                               | \$208           |
|                | \$ 0                                | \$170                               | \$170           |
|                | \$ 30                               | \$117                               | \$ 87           |
| Marin          | \$125                               | \$350                               | \$225           |
|                | \$ 50                               | \$192                               | \$142           |
| Sacramento     | \$125                               | \$315                               | \$190           |
|                | \$ 50                               | \$217                               | \$167           |
|                | \$100                               | \$247                               | \$147           |
| San Bernardino | \$ 38                               | \$111                               | \$ 73           |
|                | \$100                               | \$240                               | \$140           |
|                | \$100                               | \$207                               | \$107           |
| Fresno         | \$ 81                               | \$157                               | \$ 76           |
|                | \$ 65                               | \$125                               | \$ 60           |
|                | \$135                               | \$180                               | \$ 45           |

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Until counties maintain records that specifically identify information on child support awards, it would be very difficult and expensive to determine the effectiveness of the Agnos Child Support Act. In the absence of objection from any member, I will close this audit five days from the date of this letter.

Sincerely,

  
THOMAS W. HAYES  
Auditor General